

REMARKS

Claims 3, 5-13, 16, 28 and 29 are pending and stand rejected. Claims 3, 13 and 16 are independent. In this reply, no claims are amended, canceled or added. The case is believed to be in condition for allowance for the following reasons.

Section 101

The Office rejected claims 3, 5-13, 16, 28 and 29 under Section 101 as allegedly being directed to non-statutory subject matter. Applicant respectfully traverses and requests reconsideration. These are method claims for, “establishing communications in a centralized wired network.” (Claim 3). The method recites a *particular practical application* for managing communications in, “a centralized wired network characterized by¹ having a single, common physical wired connection interconnecting all devices currently attached to the network, so that all communications among the attached network devices travel directly over the wired connection without traversing a router or switch, or a wireless link.”² Clearly, the method is carried out in a particular physical environment spelled out expressly in the claim language.

Further, in terms of physical hardware (or, “a machine”), note that the method recites use of “attached network devices” each “electrically coupled to the common wired connection.” The *attached device* has at least one service access point (SAP) – examples are shown in Figure 2. Additional hardware is apparent in the method step of, “providing a single *central coordinator* in the centralized wired network to manage connections over the network.” As explained in the specification, “There are two entities in the PLC [power line communication] network: Devices and Central Coordinator. Any device can function as the Central Coordinator provided it has the required capabilities.”³ The point is that several physical *devices* are recited in describing the methods of the independent claims. For at least these reasons, it is respectfully requested that the Section 101 grounds for rejection be reconsidered and withdrawn.

¹ The language “characterized by” was objected to; see discussion later.

² Claim 3, emphasis added. The same limitation appears in independent claims 13 and 16.

³ Specification, paragraph bridging pages 2-3.

Claim Objections

The Examiner objected to claims 3, 5-13, 16, 28 and 29 because of alleged informalities; namely, use of the language “characterized by” as a claim recitation. Applicant respectfully traverses and contends that this language is a positive claim recitation. For example, note that the EPO and the PCT both require use of a “characterizing portion” in claims whenever appropriate.⁴ While those rules admittedly are not binding on the Office, they serve to illustrate that the language is generally accepted to represent a positive claim recitation, and the present applicant uses it in that way. For at least these reasons, it is respectfully requested that the objections to the claims be reconsidered and withdrawn.

Information Disclosure Statement

Another IDS is submitted herewith, citing a single patent publication US2003/0182291 (Kurupati et al.). This is submitted because the reference was cited in a related case. This reference is believed to be no more pertinent than the art already considered in this case.

Conclusion

Applicant believes the application is now in condition for allowance and respectfully requests the same. The Examiner is encouraged to telephone the undersigned (business hours PST) if it might advance prosecution.

Customer No. 73496

Respectfully submitted,

STOLOWITZ FORD COWGER LLP

/MICAH D. STOLOWITZ/

Micah D. Stolorwitz
Reg. No. 32,758

STOLOWITZ FORD COWGER LLP
621 SW Morrison Street, Suite 600
Portland, OR 97205
(503) 224-2170

⁴ PCT Rule 6.3.
AMENDMENT